THE LEGISLATIVE ASSEMBLY OF
BRITISH COLUMBIA

Special Committee to Appoint a Representative for Children and Youth

Report

Second Session, Thirty-Eighth Parliament

November 2006

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2007-04746/

November 22, 2006

To the Honourable
The Legislative Assembly of
the Province of British Columbia

Honourable Members:

I have the honour to present herewith the *Report* of the Special Committee to Appoint a Representative for Children and Youth.

The *Report* covers the work of the Committee from May 18, 2006 to November 22, 2006.

Respectfully submitted on behalf of the Committee.

John Rustad, MLA
Chair

Maurine Karagianis, MLA
Deputy Chair

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COMPOSITION OF THE COMMITTEE

MEMBERS

John Rustad, MLA	Chair	Prince George-Omineca
Maurine Karagianis, MLA (from September 11, 2006)	Deputy Chair	Esquimalt-Metchosin
Adrian Dix, MLA (to September 11, 2006)		Vancouver-Kingsway
Ron Cantelon, MLA		Nanaimo-Parksville
Mary Polak, MLA		Langley
Diane Thorne, MLA		Coquitlam-Maillardville

CLERK TO THE COMMITTEE

Craig James, Clerk Assistant and Clerk of Committees

COMMITTEE RESEARCHERS

Wynne MacAlpine, Research Analyst

Mary Storzer, Committee Researcher

Emily Yearwood-Lee, Committee Researcher

TERMS OF REFERENCE

On May 18, 2006 the Legislative Assembly agreed that a Special Committee be appointed to unanimously recommend to the House the appointment of a Representative for Children and Youth and that the said Committee shall have the powers of a Select Standing Committee and in addition is empowered:

(a) to appoint of their number, one or more subcommittees and to refer to such subcommittees any of the matters referred to the Committee;

(b) to sit during a period in which the House is adjourned, during the recess after prorogation until the next following Session and during any sitting of the House;

(c) to adjourn from place to place as may be convenient; and

(d) to retain such personnel as required to assist the Committee;

and shall report to the House as soon as possible, or following any adjournment, or at the next following Session, as the case may be; to deposit the original of its reports with the Clerk of the Legislative Assembly during a period of adjournment and upon resumption of the sittings of the House, the Chair shall present all reports to the Legislative Assembly.

INTRODUCTION

The Representative for Children and Youth is a new, independent statutory officer of the Legislature, whose mandate and terms of appointment are established in the *Representative for Children and Youth Act*. As with the other statutory officers of the British Columbia Legislature,[1] the Representative's enabling legislation requires that a special committee of the Legislative Assembly unanimously recommend the appointment. The Special Committee to Appoint a Representative for Children and Youth was created and given terms of reference for that purpose. This report constitutes the recommendation of the Special Committee to Appoint a Representative for Children and Youth to the Legislative Assembly for the appointment of the first Representative for Children and Youth of British Columbia.

SELECTION PROCESS

The Committee conducted 13 meetings for the purposes described below.

Tuesday, May 30, 2006	Briefing/Organization and Planning
Wednesday, July 12, 2006	Planning
Monday, September 11, 2006	Candidate Screening
Tuesday, September 26, 2006	Approval of Shortlist
Tuesday, October 3, 2006	Planning
Monday, October 23, 2006	Organization (election of deputy chair)
Monday, October 23, 2006	Candidate Interviews
Tuesday, October 31, 2006	Candidate Interviews
Wednesday, November 1, 2006	Candidate Interviews
Monday, November 6, 2006	Candidate Interviews
Tuesday, November 7, 2006	Candidate Interviews
Wednesday, November 8, 2006	Deliberations
Thursday, November 16, 2006	Approval of Report to the House

[1] The other statutory officers in British Columbia are the Auditor General, the Chief Electoral Officer, the Conflict of Interest Commissioner, the Information and Privacy Commissioner, the Merit Commissioner, the Ombudsman and the Police Complaint Commissioner.

APPLICATIONS

In order to attract a wide range of highly-qualified candidates from British Columbia and other jurisdictions, the Committee used several methods to advertise the position of Representative for Children and Youth.

- On Monday, July 17, 2006, the Committee's search was announced through a press release and an advertisement was posted on the Committee's website.
- During the week of July 17, the advertisement was distributed to over 200 child and family serving agencies in Canada and in other countries.
- Between July 21 and 28, 2006, the advertisement was placed in 16 daily newspapers in British Columbia, and in two national daily newspapers.[2]
- In late July and in August, the advertisement was placed in five First Nations newspapers having either weekly or monthly circulation.[3]

Prospective applicants were asked to apply by Monday, August 21, 2006.

In response, the Committee received 94 applications for the position of Representative for Children and Youth. Of the applications received, 63 were from residents of British Columbia and 31 were from residents of other Canadian provinces. There were no applications received from outside of Canada.

In mid-October the Committee arranged interviews with ten short-listed applicants. However, as three subsequently withdrew from the competition, seven candidates were ultimately interviewed by the Committee.

SELECTION CRITERIA

The *Representative for Children and Youth Act* and the final report of the BC Children and Youth Review[4] guided the Committee in developing specific selection criteria. The criteria were incorporated into a position and candidate profile and a screening matrix, which were then used to assess each application and each interview. To ensure consistency and fairness, each interviewed candidate was asked a standard set of 20 interview questions. These questions were also developed from the Committee's selection criteria.

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[2] *Cranbrook Daily Townsman*, *Peace River Block News* (Dawson Creek), *Alaska Highway News* (Fort St. John), *Kamloops Daily News*, *Kelowna Daily Courier*, *Kimberley Daily Bulletin*, *Nanaimo Daily News*, *Nelson Daily News*, *Penticton Herald*, *Alberni Valley Times* (Port Alberni), *Prince George Citizen*, *Prince Rupert Daily News*, *Trail Daily Times*, *Vancouver Province*, *Vancouver Sun*, *Victoria Times Colonist*, *Globe and Mail*, *National Post*.

[3] *First Nations Free Press* (national), *First Nations Drum* (national), *Ha-Shilth-Sa* (Nuu-chah-nulth First Nations), *Kahtou News* (British Columbia), *Secwepemc News* (Schuswap First Nation).

[4] Hughes, E.N. *BC Children and Youth Review: An Independent Review of BC's Child Protection System*. British Columbia: April 7, 2006.

RECOMMENDATION

The Committee unanimously recommends to the Legislative Assembly that Mary Ellen Turpel-Lafond be appointed Representative for Children and Youth for the Province of British Columbia, pursuant to section 2 of the *Representative for Children and Youth Act*.[5]

COMMITTEE REMARKS

We are encouraged by the number of individuals whose dedication to helping children, youth and families was apparent in the applications we received. Taken together, applicants' educational and professional experiences encompass every element of the child and family serving system: social work, child and youth care, counselling, psychology, sociology, medicine, law, education and public administration. Many applicants have served children and youth in several of those fields during the course of their careers, and continue to do so. The Committee would like to thank all applicants and interviewed candidates, not only for their interest in this position, but also for their ongoing work on behalf of children and youth.

Our task was to find a candidate qualified to undertake the three distinct roles of Representative for Children and Youth – advocacy, monitoring and review. We also sought those "soft" qualities that the Honourable Ted Hughes referred to as character and personality. Mr. Hughes spoke of "cooperation and collaboration" and "a deep commitment to and understanding of children's needs."[6] Mary Ellen Turpel-Lafond easily meets all of those established criteria. What became evident in our discussions, however, was that Ms. Lafond also meets a need that we hadn't explicitly identified: hope. With her outstanding personal and professional accomplishments, her active involvement in the Muskeg Lake Cree Nation and her commitment to strengthening families and communities, she is a role model to Aboriginal and all children and youth. We recommend Ms. Lafond without hesitation.

[5] SBC 2006 Chapter 29 – Bill 34.
[6] Hughes, p. 29.

BIOGRAPHICAL NOTES

The Honourable Judge Mary Ellen Turpel-Lafond was appointed a Provincial Court Judge in Saskatoon, Saskatchewan in 1998. She is currently the Administrative Judge for Saskatoon and is involved in the administration of the Provincial Court of Saskatchewan in relation to access to justice, judicial independence projects, technology and public outreach. She has also worked as a criminal law judge in youth and adult courts, which led her to work at developing partnerships to better serve the needs of young people in the justice system, particularly sexually-exploited children and youth, and children and youth with disabilities, such as fetal alcohol spectrum disorder.

Prior to her judicial appointment, Judge Lafond was a lawyer in Nova Scotia and Saskatchewan and a tenured professor of law at Dalhousie University Faculty of Law. She taught law at the University of Toronto, the University of Notre Dame and other universities. She has been a visitor at the University of British Columbia and the University of Victoria law schools. As a practicing lawyer, Judge Lafond appeared before all levels of Courts in Canada, including the Supreme Court of Canada.

Judge Lafond has a B.A. (Carleton University), LL.B. (Osgoode Hall Law School), LL.M. (Cambridge University) and a Doctorate of Law S.J.D. (Harvard Law School). She has received many awards, scholarships, grants and honours, including honourary doctorates from the University of Regina (2003) and Mount Saint Vincent University (2005).

Judge Lafond is a member of the Muskeg Lake Cree Nation in Saskatchewan. She is married to George Lafond and they have four children, including twin girls. Judge Lafond is active in her First Nations community and in the Canadian justice and academic community. In 2000, she worked with First Nations and Metis Elders, the judiciary and the Department of Justice to establish the first "Circle Court" in Canada. Judge Lafond has been an active supporter of therapeutic courts, including the Domestic Violence Court, Drug Treatment Court and Mental Health Courts. She has also worked with the Aboriginal community on projects to build confidence in the administration of justice through effective reforms, such as the establishment of a northern Cree Court circuit within the Provincial Court of Saskatchewan in 2000.

In 2005, Judge Lafond published a book on the history of the Muskeg Lake Cree Nation that was short-listed for a Saskatchewan Book Award. In the academic area, Judge Lafond has authored numerous publications, and regularly leads judicial education seminars, law classes, and serves as a peer reviewer for academic publications and supervises graduate students. In 2006, the Law Society of Saskatchewan recognized Judge Lafond's efforts to build bridges between the Aboriginal community and justice system.

Judge Lafond has been active in supporting healthy families and seeking greater respect and recognition of the unique situation for children in society, particularly vulnerable children.

ADVERTISEMENT

LEGISLATIVE ASSEMBLY OF BRITISH COLUMBIA

Special Committee to Appoint a Representative for Children and Youth

John Rustad, MLA *Chair* Adrian Dix, MLA *Deputy Chair*

Representative for Children and Youth

The Special Committee to Appoint a Representative for Children and Youth is accepting applications for the new position of Representative for Children and Youth, a non-partisan, independent officer of the Legislature.

As the external authority responsible for advocating on behalf of children, overseeing the provision of designated services for children and families and reviewing child deaths and critical injuries, the Representative will be a key part of BC's revised child welfare system. The job description for the position is the *Representative for Children and Youth Act* [SBC 2006 Chapter 29 – Bill 34]. Applicants are also encouraged to consider the final report of the BC Children and Youth Review, *BC Children and Youth Review: An Independent Review of BC's Child Protection System*. Both are available on the Committee's website at: www.leg.bc.ca/cmt/repchildren&youth.

The appointment is for a term of five years, and may be renewed for one additional five-year term. The salary for the position is equal to the salary paid to a Chief Judge of the Provincial Court of British Columbia.

Applications should be received by e-mail no later than Monday, August 21, 2006. Applications will be held in confidence.

ADDRESS ALL INQUIRIES AND APPLICATIONS TO:

Craig James
Clerk Assistant and
Clerk of Committees
Room 224, Parliament Buildings
Victoria, BC V8V 1X4

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